



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

March 3, 2004

Mr. Mark Cusson
Hillsborough County Complex
329 Mast Road
Goffstown, New Hampshire 03045

CERTIFIED MAIL (7099 3400 0003 0688 2652)
RETURN RECEIPT REQUESTED
LETTER OF DEFICIENCY
ARD No. 2004-001

Dear Mr. Cusson

On June 17, 2003, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") conducted a compliance inspection at the Hillsborough County Complex ("HCC") located in Goffstown, NH. The purpose of the inspection was to determine HCC's compliance status with State Operating Permit FP-S-0049 ("the Permit"), in effect through January 31, 2003, and Env-A 100 *et seq.*, NH Rules Governing the Control of Air Pollution.

As a result of the inspection and subsequent file review, this Letter of Deficiency ("LOD") is being sent to identify the following deficiencies:

1. Env-A 608.01 and Env-A 608.02(b) requires the owner or operator of any stationary source or device that has been issued a state permit to operate to submit an application 90 days prior to the designated expiration date of the current state permit to operate. On January 16, 1998, DES issued the Permit to HCC. The Permit expired on January 31, 2003. HCC submitted its permit application to DES on June 25, 2003, and a permit was issued on September 9, 2003;
2. Env-A 612.04 and Condition VIII. D of the Permit requires HCC to notify DES in writing of any changes to the operating parameters of the facility. During the June 17, 2003 inspection, DES observed that (1) HCC's Cleaver Brooks Boiler #2 was removed from HCC and modified to burn #2 fuel oil, (2) HCC's Cleaver Brooks Boiler #1 was modified to burn #2 fuel oil, and (3) HCC installed a new 100 HP boiler operating on #2 fuel oil. DES was not notified of those changes. On June 25, 2003, DES received HCC's permit application stating that HCC's current boilers consume #2 fuel oil;
3. Env-A 903.03 and Condition VIII. A of the Permit require HCC to keep separate monthly fuel consumption records, including fuel type and sulfur content of the fuel, for each of HCC's Cleaver Brooks Boiler #1 and Cleaver Brooks Boiler #2. During the June 17, 2003 inspection, DES observed that fuel usage data was not being kept as required. HCC produced only a combined record of the total monthly fuel consumption without any sulfur content data for both boilers for calendar years 1999, 2000, 2001, and 2002;

4. Env-A 907.01 and Condition VIII. B of the Permit require HCC to submit to DES monthly fuel consumption reports containing the quantity of fuel oil combusted by HCC Cleaver Brooks Boiler #1 and Cleaver Brooks Boiler #2 for each calendar year by the following April 15th. On June 17, 2003, DES received HCC's annual report of monthly fuel combustion for calendar years 1999, 2000, 2001, and 2002; and

5. Env-A 704.04(a) and Condition VI.A of the Permit require HCC to pay an annual emission-based fee to DES in accordance with Env-A 704.03 for each calendar year by the following October 15th. HCC has not submitted the annual emissions-based fee payment for calendar years 2000, 2001, and 2002.

DES believes that the above referenced deficiencies can be resolved if, within 30 days of issuance of this LOD, HCC pays past-due emission-based fees of \$705.86 for calendar years 2000, 2001, and 2002. Please refer to the November 5, 2003 invoice sent to HCC from DES, calculating the emission-based fees owed by HCC.

In the event that HCC fails to comply with the condition above within the time period indicated, DES may initiate further action against HCC, including issuing an order requiring the deficiencies to be corrected and/or referring this matter to the NH Department of Justice.

Please address all information to Mary Ruel, at the following address:

NHDES Air Resources Division
Compliance Bureau
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental goals. DES strives to ensure that pollution prevention options are considered first, followed by recycling, treatment, and disposal. In the event that HCC has any questions about pollution prevention, please feel free to contact Stephanie D'Agostino at (603) 271-6398.

Please be advised that DES will continue to monitor HCC's compliance status and that this letter does not provide relief against any other existing or future deficiencies. It is important that HCC be aware of all the requirements in its current permit. Further, please note that Condition VIII.A of HCC's current permit requires HCC to submit to DES an annual emissions report no later than April 15th of the following year. In addition, Condition X of HCC's current permit requires HCC to pay emissions-based fees to DES for each calendar year by October 15th for the previous year's emissions.

Please feel free to contact DES should you have any questions regarding compliance with Env-A 100 *et seq.*, NH Rules Governing the Control of Air Pollution, and the requirements of your current permit. A current copy of the rules can be obtained from the DES website at www.des.state.nh.us/Rules/air.htm, or by contacting the Public Information Center at (603) 271-2975. If you have any questions regarding this matter, please contact Ray Walters at (603) 271-6288 or Mary Ruel at (603) 271-6795.

Sincerely,

A handwritten signature in black ink is written over the word "COPY" in large, bold, black capital letters. The signature appears to be "P. Monroe".

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/seb

cc M. Harbaugh, Legal Unit
S. D'Agostino, NHDES Pollution Prevention Coordinator
R. Kurowski, EPA Region I
AFS #3301100061